

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 6/5/2012	(3) CONTACT/PHONE Trevor Keith, Energy Program Coordinator/805-781-1431	
(4) SUBJECT Request to approve a contract modification with Dudek Consultants in the amount of \$285,500 to prepare an Administrative Draft of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan and a corresponding budget adjustment of \$28,517 for additional funding from a federal grant for the project.			
(5) RECOMMENDED ACTION It is recommended that the Board of Supervisors approve and that the Chairman sign the contract modification with Dudek Consultants and approve a Budget Adjustment, by a 4/5ths vote, in the amount of \$28,517 to provide additional funding from a federal grant.			
(6) FUNDING SOURCE(S) Grant Funding	(7) CURRENT YEAR FINANCIAL IMPACT \$28,517	(8) ANNUAL FINANCIAL IMPACT \$28,517	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation (Time Est. _____) <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1112146 <input checked="" type="checkbox"/> 4/5th's Vote Required <input type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001139		(14) W-9 <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
(15) LOCATION MAP Attached	(16) BUSINESS IMPACT STATEMENT? Yes	(17) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date 7/17/2007; 6/23/2009; 12/7/2010	
(18) ADMINISTRATIVE OFFICE REVIEW 			
(19) SUPERVISOR DISTRICT(S) District 1 - District 4 - District 5 -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Trevor Keith, Energy Program Coordinator

VIA: Kami Griffin, Assistant Director, Department of Planning and Building

DATE: 12/18/2012

SUBJECT: Request to approve a contract modification with Dudek Consultants in the amount of \$285,500 to prepare an Administrative Draft of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan and a corresponding budget adjustment of \$28,517 for additional funding from a federal grant for the project.

RECOMMENDATION

It is recommended that the Board of Supervisors approve and that the Chairman sign the contract modification with Dudek Consultants and approve a Budget Adjustment, by a 4/5ths vote, in the amount of \$28,517 to provide additional funding from a federal grant.

DISCUSSION

On July 17, 2007, your Board authorized staff to prepare and submit a grant application to the U.S. Fish and Wildlife Service (through the Endangered Species Act Section 6 Grant Program). On June 23, 2009 your Board authorized staff to accept the U.S. Fish and Wildlife Service grant for the preparation of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan. On December 7, 2010, your Board authorized a contract for special services with Dudek for the preparation of the first phase of the Conservation Program (original contract and appropriation \$344,798).

This project took longer than anticipated to get all the agreements in place. As with other Section 6 planning assistance grants, a series of agreements (minimum of three) are necessary to transfer the implementing funds from the U.S. Fish and Wildlife Service to the Department of Fish and Game (DFG), to the County, and thence to a contractor/sub-contractor(s). Each agreement takes between two and ten months to execute, due to the lengthy process of contracting for services, respective approval processes, the development of a Request for Proposals (RFP) by the County, as well as the scope and budget changes necessitated by the actual proposals received. The timeline for this project was further delayed by budget constraints that affected staffing and workload at both the State and County level. Despite these difficulties, significant progress has been made and all the necessary agreements have been executed. To date, approximately \$128,290 (26%) of the grant was expended towards completion of the project including stakeholder outreach, plan area identification, and covered species development.

The County received a two year extension for the Section 6 grant, which was originally set to end on May 14, 2011. With the grant extension, the County reprioritized the scope of work to complete all of the remaining tasks outlined in the original grant. A copy of this contract, signed by the Assistant Planning Director, is included in Attachment C.

OTHER AGENCY INVOLVEMENT/IMPACT

Other agencies and County departments involved in the preparation of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan include: County Department of Public Works, County Department of Parks, Cal Fire, California Department of Fish and Game United States Fish and Wildlife Service, United States Army Corps of Engineers, and the City of Paso Robles.

In addition, County Counsel reviewed the contract as to form and legal effect and the Auditor's Office has reviewed the budget adjustment request form.

BUSINESS IMPACT STATEMENT

This program will help support the Building Design and Construction Cluster and the Green Energy Team Cluster. The San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan will streamline the permit process with California Department of Fish and Game and United States Fish and Wildlife Service. Private landowners can participate in the plan instead of preparing individual HCPs for their development projects, in a much shorter time frame and at a lower cost than required for individual permits.

FINANCIAL CONSIDERATIONS

The balance remaining from the award at this point through the Section 6 grant is \$371,728. California Department of Fish and Game receives \$68,128 of the grant. After California Department of Fish and Game funding is removed, \$303,600 will be available for the County to develop the draft Conservation Program in support of the HCP. The contract with Dudek consultants to prepare the draft conservation plan of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan will be for \$285,500. The remaining \$18,029 will be used to fund County staff. The appropriation remaining from the original appropriation of \$344,798 is \$256,983.

The difference between the remaining appropriation and this contract is \$28,517 based on the additional funds for development of the Plan. This additional revenue and expense was not anticipated in the Department's budget. A budget adjustment for the increased grant funding and related appropriation has been prepared.

In addition, the grant needs a match of non-federal funds totaling \$219,360 from several sources. Our match to date is \$68,360. The final matching funds for the grant would be \$151,000. The remaining County match would be \$78,000. The matching funds are listed below.

County Match	
Planning and Building Staff Time	\$78,000
Non-County Match	
City of Paso Robles Staff Time	\$52,920
California Department of Fish & Game Staff Time	\$20,080
Total Match	\$151,000

Staff time for our match was anticipated in the Department's budget and will not require additional County funds. Additional grant funding will be necessary in order to complete the second phase of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan and receive permits from California Department of Fish and Game and United States Fish and Wildlife Service.

RESULTS

The San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan is a component of the overall protection strategy for the sensitive habitats of the north-east portion of the county. The absence of this plan will result in a patchwork of permitting that will not be able to achieve the coordinated goals of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan. This plan also provides an overall mitigation program for future growth in the north-east portion of the county. Preparation and implementation of this plan is consistent with the Countywide goals of providing a well-governed and livable community.

ATTACHMENTS

1. Attachment A - Project Location Map
2. Attachment B - Dudek Consultant Contract
3. Attachment C - CDFG Grant Agreement